

Office Action Summary

Application No.

09/123,145

Applicant(s)

SEKIGUCHI, KENZO

Examiner

Joseph R. Pokrzywa

Art Unit

2622

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 February 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7,9-19,21-30 and 32-59 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 43-46,56 and 57 is/are allowed.
- 6) ☒ Claim(s) 1-7,9-19,21-30,32-42,47-55,58 and 59 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Art Unit: 2622

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 2/5/03 has been entered.

Response to Amendment

2. Applicant's amendment received on 1/2/03 has been entered and made of record. Currently, **claims 1-7, 9-19, 21-30, and 32-59** are pending.

Response to Arguments

3. Applicant's arguments with respect to **claims 1-7, 9-19, 21-30, 32-42, 54, and 55** have been considered but are moot in view of the new ground(s) of rejection.

4. Upon review of the prior art, notably Yamamoto *et al.* (U.S. Patent Number 5,767,985), which was cited in the Office action dated 10/2/02, as anticipating **claims 47-53, 58, and 59**, the examiner finds that the claims, as amended do not overcome the teaching of Yamamoto.

Yamamoto can be interpreted as receiving information data (being a facsimile protocol signal with the initial CNG signal) with destination address data from a transmitting source via a network (being read in column 8, lines 1 through 55, wherein as is widely known throughout the

Art Unit: 2622

art while using G3 facsimile protocol, the dialed destination address, or the telephone number of the fax unit 30, is used to connect to the fax unit 30, whereby information data or handshake data is then received, thereby receiving information data with destination address data from a transmitting source via a network), returning a message in response to a request from the transmitting source via the network (step 106, being the guide message from the host unit being sent over the public telephone line 70, after the incoming call from the transmitting source, which is interpreted as the "request"), and receiving an instruction generated based on the message (being step 128, column 9, lines 21 through 40). Because of this, the rejection of independent *claims 47, 58, and 59* are repeated in this Office action, with a full discussion appearing below.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the

Art Unit: 2622

reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6. **Claims 47-53, 58, and 59** are rejected under 35 U.S.C. 102(e) as being anticipated by Yamamoto *et al.* (U.S. Patent Number 5,767,985, cited in the Office action dated 10/2/02).

Regarding **claim 47**, Yamamoto discloses a communication apparatus (fax unit 30) comprising a means for connecting various types of networks which have unique formats and addresses, respectively (see Figs. 1 and 2), means for receiving information data (being a facsimile protocol signal with the initial CNG signal) with destination address data from a transmitting source via a network (column 8, lines 1 through 55, wherein as is widely known throughout the art while using G3 facsimile protocol, the dialed destination address, or the telephone number of the fax unit 30, is used to connect to the fax unit 30, whereby information data or handshake data is then received, thereby receiving information data with destination address data from a transmitting source via a network), means for returning a message in response to a request from the transmitting source via the network (step 106, being the guide message from the host unit being sent over the public telephone line 70, after the incoming call from the transmitting source, which is interpreted as the "request"), means for receiving an instruction generated based on the message (being step 128, column 9, lines 21 through 40), means for receiving another instruction different from the instruction based on the message (being steps 114 or 122, column 8, line 66 through column 9, line 36), means for processing the information data without changing the format in a case where the another instruction is received (steps 118 and 126, column 9, lines 29 through 36, as well as seen in Fig. 5 as "no" in all of the steps 228, 236, 242, 250, 256, and 262), and means for changing a format of the information data

Art Unit: 2622

and the destination address data into another format corresponding to another type of network in accordance with the received instruction (step 130, column 9, lines 21 through 40, whereby received data is decoded, as well as seen in Fig. 5 as “yes” to any of steps 228, 236, 242, 250, 256, and 262).

Regarding *claims 48*, Yamamoto discloses the apparatus discussed above in claim 47, and further teaches that the means for returning returns the message as voice guidance information (column 8, line 62 through column 9, line 28).

Regarding *claim 49*, Yamamoto discloses the apparatus discussed above in claim 47, and further teaches that the means for receiving an instruction receives the instruction by a tone signal (column 9, lines 21 through 40).

Regarding *claim 50*, Yamamoto discloses the apparatus discussed above in claim 49, and further teaches that the tone signal is a DTMF signal (column 9, lines 21 through 40).

Regarding *claim 51*, Yamamoto discloses the apparatus discussed above in claim 47, and further teaches that the information data is image data in accordance with a predetermined image format (column 9, lines 15 through 27).

Regarding *claim 52*, Yamamoto discloses the apparatus discussed above in claim 47, and further teaches that the means for changing the format changes the format from a predetermined format to an e-mail format (see Fig. 5).

Regarding *claim 53*, Yamamoto discloses the apparatus discussed above in claim 47, and further teaches that the means for changing a format changes the format from a facsimile format to a predetermined format (see Fig. 5).

Art Unit: 2622

Regarding *claim 58*, Yamamoto discloses a method for a communication apparatus (fax unit 30) comprising connecting various types of networks which have unique formats and addresses, respectively (see Figs. 1 and 2), receiving information data (being a facsimile protocol signal with the initial CNG signal) with destination address data from a transmitting source via a network (column 8, lines 1 through 55, wherein as is widely known throughout the art while using G3 facsimile protocol, the dialed destination address, or the telephone number of the fax unit 30, is used to connect to the fax unit 30, whereby information data or handshake data is then received, thereby receiving information data with destination address data from a transmitting source via a network), returning a message in response to a request from the transmitting source via the network (step 106, being the guide message from the host unit being sent over the public telephone line 70, after the incoming call from the transmitting source, which is interpreted as the “request”), receiving an instruction generated based on the message (being step 128, column 9, lines 21 through 40), receiving another instruction different from the instruction based on the message (being steps 114 or 122, column 8, line 66 through column 9, line 36), processing the information data without changing the format in a case where the another instruction is received (steps 118 and 126, column 9, lines 29 through 36, as well as seen in Fig. 5 as “no” in all of the steps 228, 236, 242, 250, 256, and 262), and changing a format of the information data and the destination address data into another format corresponding to another type of network in accordance with the received instruction (step 130, column 9, lines 21 through 40, whereby received data is decoded, as well as seen in Fig. 5 as “yes” to any of steps 228, 236, 242, 250, 256, and 262).

Art Unit: 2622

Regarding *claim 59*, Yamamoto discloses a computer program for a communication apparatus (fax unit 30) comprising a means for connecting various types of networks which have unique formats and addresses, respectively (see Figs. 1 and 2), means for receiving information data (being a CNG signal) with destination address data from a transmitting source via a network (column 8, lines 1 through 55, wherein as is widely known throughout the art while using G3 facsimile protocol, the dialed destination address, or the telephone number of the fax unit 30, is used to connect to the fax unit 30, whereby information data or handshake data is then received, thereby receiving information data with destination address data from a transmitting source via a network), means for returning a message in response to a request from the transmitting source via the network (step 106, being the guide message from the host unit being sent over the public telephone line 70, after the incoming call from the transmitting source, which is interpreted as the "request"), means for receiving an instruction generated based on the message (being step 128, column 9, lines 21 through 40), means for receiving another instruction different from the instruction based on the message (being steps 114 or 122, column 8, line 66 through column 9, line 36), means for processing the information data without changing the format in a case where the another instruction is received (steps 118 and 126, column 9, lines 29 through 36, as well as seen in Fig. 5 as "no" in all of the steps 228, 236, 242, 250, 256, and 262), and means for changing a format of the information data and the destination address data into another format corresponding to another type of network in accordance with the received instruction (step 130, column 9, lines 21 through 40, whereby received data is decoded, as well as seen in Fig. 5 as "yes" to any of steps 228, 236, 242, 250, 256, and 262).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. **Claims 1-3, 5-7, 37-42, 54, and 55** are rejected under 35 U.S.C. 103(a) as being unpatentable over Bloomfield (U.S. Patent Number 6,025,931, cited in the Office action dated 10/2/02) in view of Adler *et al.* (U.S. Patent Number 6,256,115).

Regarding **claim 1**, Bloomfield discloses a communication apparatus (fax server 110, seen in Figs. 1, 2, and 13) comprising a means (data network interface 154) for connecting to a computer network (data network 114, column 4, lines 37 through 67), a means (fax comm interface 130) for connecting to a public telephone network (public telephone network 108, column 4, lines 5 through 20), a means for receiving facsimile image data from the public telephone network (column 5, line 63 through column 6, line 8, and column 6, lines 46 through 65, and column 18, line 54 through column 19, line 10), a means for receiving transfer destination information (fax interface device ID, E-mail destination address, and check sum) of e-mail data from the public telephone network (steps 1034, 1036, and 1038 in Fig. 11A, column 17, lines 57 through 63), a means for converting the received facsimile image data into an e-mail data format (column 6, line 66 through column 7, line 34, steps 1070 and 1072 in Fig. 11C, and column 19, lines 10 through 37), a means for designating an e-mail destination of the computer network (E-mail destination address) on the basis of the received transfer destination information (column 18, lines 41 through 54, and column 19, lines 10 through 57), and transmitting the e-

Art Unit: 2622

mail data converted by the conversion means to a destination designated by the transfer destination information (step 1080 in Fig. 11C, column 19, lines 37 through 45), and a means for selecting whether the public telephone network is released or facsimile reception via the public telephone network is started (steps 1046 or 1044 in Fig. 11B, column 18, lines 7 through 16), when a signal related to a facsimile communication (step 1032-1038) is not received within a prescribed time for monitoring signal reception from the public telephone network after call reception from the public telephone network ("time-out " in step 1042, column 17, line 67 through column 18, line 16).

However, Bloomfield is unclear of teaching of a means for selecting whether the public telephone network is released or facsimile reception via the public telephone network is started, when the transfer destination information (seen in step 1036) is not received within a prescribed time for monitoring signal reception from the public telephone network after call reception from the public telephone network. Adler discloses a communication apparatus (node 10, see abstract) comprising a means for connecting to a computer network (Internet 24, column 5, lines 5 through 21), a means for connecting to a public telephone network (PSTN 18, column 4, line 62 through column 5, line 4), a means for receiving facsimile image data from the public telephone network (column 5, line 48 through column 6, line 4), a means for receiving transfer destination information (destination number) from the public telephone network (column 11, line 60 through column 12, line 17), a means for converting the received facsimile image data into another format (column 6, lines 10 through 42), and transmitting the data converted by the conversion means to a destination designated by the transfer destination information (column 6, line 17 through column 7, line 15), a means for selecting whether the public telephone network is released or

Art Unit: 2622

facsimile reception via the public telephone network is started ("end", which thereby releases the network, or looping back up to repeat the start of reception) when the transfer destination information (destination number, in step 206) is not received within a prescribed time for monitoring signal reception from the public telephone network after call reception from the public telephone network (time-out in step 216, column 11, line 60 through column 12, line 2), and a means for selecting whether the public telephone network is released or facsimile reception via the public telephone network is started ("end", which thereby releases the network, or looping back up to repeat the start of reception), when a signal related to a facsimile communication (fax receive in step 220) is not received within a prescribed time for monitoring signal reception from the public telephone network after call reception from the public telephone network (time-out in step 224, column 12, lines 2 through 17). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include Adler's teachings in the system of Bloomfield. Bloomfield's system would easily be modified to conform to Adler's teachings, as the systems share cumulative features, being additive in nature, and thereby conforming to well-known standards in the facsimile Group-3 protocol communication.

Regarding *claim 2*, Bloomfield and Adler disclose the apparatus discussed in claim 1 above, and Bloomfield further teaches that the transmission means comprises destination designation means for designating the e-mail destination (E-mail destination address) of the computer network on the basis of the received transfer destination information (column 18, lines 41 through 54, and column 19, lines 10 through 57), and post-office designation means for

Art Unit: 2622

designating a desired post-office in an e-mail server (e-mail server 112) of the computer network (column 19, line 46 through column 20, line 11).

Regarding *claim 3*, Bloomfield and Adler disclose the apparatus discussed in claim 1 above, and Bloomfield further teaches that the transfer destination information and password information (identification code) are received from the public telephone network (column 6, lines 30 through 59), wherein it is checked if e-mail transfer destination information corresponding to the transfer destination information is set in advance (column 16, lines 35 through 39) and if the received password information matches password information set in advance (step 1048, column 18, lines 17 through 48), and the converted e-mail data is transmitted in accordance with the checking results (column 6, line 47 through column 7, line 7).

Regarding *claim 5*, Bloomfield and Adler disclose the apparatus discussed in claim 3 above, and Bloomfield further teaches that the password information is received as numeral information (see Figs. 10 and 10A, column 15, lines 30 through 37, column 16, lines 33 through 39).

Regarding *claim 6*, Bloomfield and Adler disclose the apparatus discussed in claim 1 above, and Bloomfield further teaches that the transfer destination information is received by a tone signal (column 5, line 63 through column 6, line 17).

Regarding *claim 7*, Bloomfield and Adler disclose the apparatus discussed in claim 6 above, and Bloomfield further teaches that the tone signal is a DTMF signal (column 6, line 63 through column 6, line 5, column 10, line 48 through column 11, line 47, and column 14, lines 36 through 38).

Art Unit: 2622

Regarding *claim 37*, Bloomfield discloses a communication apparatus (fax server 110, seen in Figs. 1, 2, and 13) comprising means for connecting various types of networks (see Fig. 1) which have unique formats and addresses, respectively (column 5, line 63 through column 6, line 46), means for receiving information data (fax interface device ID, E-mail destination address, and check sum) with destination address data via one of the networks from a transmission source (steps 1034, 1036, and 1038 in Fig. 11A, column 17, lines 57 through 63), means for changing a format of the information data (column 6, line 66 through column 7, line 34, steps 1070 and 1072 in Fig. 11C, and column 19, lines 10 through 37) and the destination address data into another format corresponding to another type of network by discriminating the destination address data (column 18, lines 41 through 54, and column 19, lines 10 through 57), and means for selecting whether the public telephone network is continued or not via the network (steps 1046 or 1044 in Fig. 11B, column 18, lines 7 through 16), when the information data is not received within a prescribed time for monitoring signal reception from the network after a session is started via the network ("time-out " in step 1042, column 17, line 67 through column 18, line 16).

However, Bloomfield is unclear of teaching of a means for selecting whether the communication is continued or not via the network when the destination address data (seen in step 1036) is not received within a prescribed time for monitoring signal reception after a session is started via the network. Adler discloses a communication apparatus (node 10, see abstract) comprising a means for connecting various types of networks which have unique formats and addresses, respectively (see Fig. 1, PSTN 18 and Internet 24, column 4, line 62 through column 5, line 21), means for receiving information data with destination address data (destination

Art Unit: 2622

number) via one of the networks from a transmission source (column 5, line 48 through column 6, line 4, and column 11, line 60 through column 12, line 17), means for changing a format of the information data and the destination address data into another format corresponding to another type of network (column 6, lines 10 through 42), means for selecting whether the communication is continued or not via the network ("end", which thereby releases the network, or looping back up to repeat the start of reception) when the destination data (destination number, in step 206) is not received within a prescribed time for monitoring signal reception from the network after a session is started via the network (time-out in step 216, column 11, line 60 through column 12, line 2), and means for selecting whether the communication is continued or not via the network ("end", which thereby releases the network, or looping back up to repeat the start of reception), is started when the information data (fax receive in step 220) is not received within a prescribed time for monitoring signal reception from the network after a session is started via the network (time-out in step 224, column 12, lines 2 through 17). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include Adler's teachings in the system of Bloomfield. Bloomfield's system would easily be modified to conform to Adler's teachings, as the systems share cumulative features, being additive in nature, and thereby conforming to well-known standards in the facsimile Group-3 protocol communication.

Regarding *claim 38*, Bloomfield and Adler disclose the apparatus discussed in claim 37 above, and Bloomfield further teaches that the types of networks include a computer network (see Fig. 1, and column 4, lines 40 through 55).

Art Unit: 2622

Regarding *claim 39*, Bloomfield and Adler disclose the apparatus discussed in claim 37 above, and Bloomfield further teaches that the types of networks include a public telephone network (see Fig. 1, public telephone network 108).

Regarding *claim 40*, Bloomfield and Adler disclose the apparatus discussed in claim 37 above, and Bloomfield further teaches that the information data is image data in accordance with predetermined image format (column 5, line 52 through column 6, line 46).

Regarding *claim 41*, Bloomfield and Adler disclose the apparatus discussed in claim 37 above, and Bloomfield further teaches that the format changing means changes the format from a predetermined format to an e-mail format (column 5, line 52 through column 6, line 46).

Regarding *claim 42*, Bloomfield and Adler disclose the apparatus discussed in claim 37 above, and Bloomfield further teaches that the format changing means changes the format from a facsimile format to a predetermined format (column 5, line 52 through column 6, line 46, and column 7, lines 8 through 28).

Regarding *claim 54*, Bloomfield discloses a method for a communication apparatus (fax server 110, seen in Figs. 1, 2, and 13) comprising the steps of connecting various types of networks (see Fig. 1) which have unique formats and addresses, respectively (column 5, line 63 through column 6, line 46), receiving information data (fax interface device ID, E-mail destination address, and check sum) with destination address data via one of the networks from a transmission source (steps 1034, 1036, and 1038 in Fig. 11A, column 17, lines 57 through 63), changing a format of the information data (column 6, line 66 through column 7, line 34, steps 1070 and 1072 in Fig. 11C, and column 19, lines 10 through 37) and the destination address data into another format corresponding to another type of network by discriminating the destination

Art Unit: 2622

address data (column 18, lines 41 through 54, and column 19, lines 10 through 57), and selecting whether the public telephone network is continued or not via the network (steps 1046 or 1044 in Fig. 11B, column 18, lines 7 through 16), when the information data is not received within a prescribed time for monitoring signal reception from the network after a session is started via the network ("time-out" in step 1042, column 17, line 67 through column 18, line 16).

However, Bloomfield is unclear of teaching of selecting whether the communication is continued or not via the network when the destination address data (seen in step 1036) is not received within a prescribed time for monitoring signal reception after a session is started via the network. Adler discloses a method for a communication apparatus (node 10, see abstract) comprising the steps of connecting various types of networks which have unique formats and addresses, respectively (see Fig. 1, PSTN 18 and Internet 24, column 4, line 62 through column 5, line 21), receiving information data with destination address data (destination number) via one of the networks from a transmission source (column 5, line 48 through column 6, line 4, and column 11, line 60 through column 12, line 17), changing a format of the information data and the destination address data into another format corresponding to another type of network (column 6, lines 10 through 42), selecting whether the communication is continued or not via the network ("end", which thereby releases the network, or looping back up to repeat the start of reception) when the destination data (destination number, in step 206) is not received within a prescribed time for monitoring signal reception from the network after a session is started via the network (time-out in step 216, column 11, line 60 through column 12, line 2), and selecting whether the communication is continued or not via the network ("end", which thereby releases the network, or looping back up to repeat the start of reception), is started when the information

Art Unit: 2622

data (fax receive in step 220) is not received within a prescribed time for monitoring signal reception from the network after a session is started via the network (time-out in step 224, column 12, lines 2 through 17). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include Adler's teachings in the system of Bloomfield. Bloomfield's system would easily be modified to conform to Adler's teachings, as the systems share cumulative features, being additive in nature, and thereby conforming to well-known standards in the facsimile Group-3 protocol communication.

Regarding *claim 55*, Bloomfield discloses a computer program (column 6, lines 18 through 27) for a communication apparatus (fax server 110, seen in Figs. 1, 2, and 13) comprising computer readable program code means for connecting various types of networks (see Fig. 1) which have unique formats and addresses, respectively (column 5, line 63 through column 6, line 46), receiving information data (fax interface device ID, E-mail destination address, and check sum) with destination address data via one of the networks from a transmission source (steps 1034, 1036, and 1038 in Fig. 11A, column 17, lines 57 through 63), changing a format of the information data (column 6, line 66 through column 7, line 34, steps 1070 and 1072 in Fig. 11C, and column 19, lines 10 through 37) and the destination address data into another format corresponding to another type of network by discriminating the destination address data (column 18, lines 41 through 54, and column 19, lines 10 through 57), and selecting whether the public telephone network is continued or not via the network (steps 1046 or 1044 in Fig. 11B, column 18, lines 7 through 16), when the information data is not received within a prescribed time for monitoring signal reception from the network after a session is started via the network ("time-out " in step 1042, column 17, line 67 through column 18, line 16).

Art Unit: 2622

However, Bloomfield is unclear of teaching of means for selecting whether the communication is continued or not via the network when the destination address data (seen in step 1036) is not received within a prescribed time for monitoring signal reception after a session is started via the network. Adler discloses a computer program for a communication apparatus (node 10, see abstract, and column 18, line 60 through column 19, line 24) comprising means for connecting various types of networks which have unique formats and addresses, respectively (see Fig. 1, PSTN 18 and Internet 24, column 4, line 62 through column 5, line 21), means for receiving information data with destination address data (destination number) via one of the networks from a transmission source (column 5, line 48 through column 6, line 4, and column 11, line 60 through column 12, line 17), means for changing a format of the information data and the destination address data into another format corresponding to another type of network (column 6, lines 10 through 42), means for selecting whether the communication is continued or not via the network ("end", which thereby releases the network, or looping back up to repeat the start of reception) when the destination data (destination number, in step 206) is not received within a prescribed time for monitoring signal reception from the network after a session is started via the network (time-out in step 216, column 11, line 60 through column 12, line 2), and means for selecting whether the communication is continued or not via the network ("end", which thereby releases the network, or looping back up to repeat the start of reception), is started when the information data (fax receive in step 220) is not received within a prescribed time for monitoring signal reception from the network after a session is started via the network (time-out in step 224, column 12, lines 2 through 17). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include Adler's teachings in the

Art Unit: 2622

system of Bloomfield. Bloomfield's system would easily be modified to conform to Adler's teachings, as the systems share cumulative features, being additive in nature, and thereby conforming to well-known standards in the facsimile Group-3 protocol communication.

9. **Claims 4, and 9-12** are rejected under 35 U.S.C. 103(a) as being unpatentable over Bloomfield (U.S. Patent Number 6,025,931, cited in the Office action dated 10/2/02) in view of Adler *et al.* (U.S. Patent Number 6,256,115), and further in view of Toyoda *et al.* (U.S. Patent Number 5,812,278, cited in the Office action dated 10/2/02).

Regarding **claim 4**, Bloomfield and Adler disclose the apparatus discussed in claim 1 above, but fail to specifically teach of a means for registering in advance e-mail address information of the e-mail destination in correspondence with numeral information, wherein the transfer destination information is received as numeral information, and the address information of the e-mail destination corresponding to the received numeral information is read out from the storage means to designate the e-mail destination. Toyoda discloses a communication apparatus (facsimile apparatus 71, 81, or 91, seen in Fig. 21) comprising a means (LAN control unit 78, seen in Fig. 22) for connecting to a computer network (LAN or Internet 65), a means (facsimile data communicating unit 74) for connecting to a public telephone network (PSTN 63), a means for receiving facsimile image data from the public telephone network (S201 in Fig. 23, column 22, lines 6 through 13), a means for receiving transfer destination information of e-mail data from the public telephone network (PSTN 63, column 21, lines 1 through 17, and column 22, lines 1 through 39), a means for converting the received facsimile image data into an e-mail data format (column 22, lines 40 through 54), and a means for designating an e-mail destination of the

Art Unit: 2622

computer network on the basis of the received transfer destination information (column 22, lines 40 through 49), and transmitting the e-mail data converted by the conversion means to a destination designated by the transfer destination information (column 22, lines 49 through 67). Toyoda further teaches of a means for registering in advance e-mail address information of the e-mail destination in correspondence with numeral information (column 22, lines 27 through 39), wherein the transfer destination information is received as numeral information (column 22, lines 27 through 39), and the address information of the e-mail destination corresponding to the received numeral information is read out from the storage means to designate the e-mail destination (column 22, lines 40 through 59). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include Toyoda's teachings in the system of Bloomfield and Adler. Bloomfield and Adler's system would easily be modified to include Toyoda's teachings, as the systems share cumulative features, being additive in nature.

Regarding *claim 9*, Bloomfield, Adler, and Toyoda disclose the apparatus discussed in claim 4 above, and Adler further teaches that the transfer destination information is received by a protocol signal of a facsimile communication protocol (column 11, line 60 through column 12, line 17). Further, Toyoda also teaches that the transfer destination information is received by a protocol signal of a facsimile communication protocol (column 21, lines 1 through 17). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include Toyoda's teachings in the system of Bloomfield and Adler. Bloomfield and Adler's system would easily be modified to include Toyoda's teachings, as the systems share cumulative features, being additive in nature.

Art Unit: 2622

Regarding *claim 10*, Bloomfield and Adler disclose the apparatus discussed in claim 5 above, and Bloomfield further teaches that the password information is received by a protocol signal of a facsimile communication protocol (column 17, line 53 through column 18, line 66). However, Bloomfield fails to specifically teach of receiving identification information by a protocol signal of a facsimile communication protocol. Adler discloses a communication apparatus further comprising of receiving identification information by a protocol signal of a facsimile communication protocol (column 11, line 60 through column 12, line 17). Further, Toyoda also discloses a communication apparatus, which is discussed above in claim 4, (being facsimile apparatus 71, 81, or 91, seen in Fig. 21), further comprising of receiving identification information by a protocol signal of a facsimile communication protocol (column 21, lines 1 through 17). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include Toyoda's teachings in Bloomfield and Adler's system. Bloomfield and Adler's system would easily be modified to include Toyoda's teachings, as the systems share cumulative features, being additive in nature.

Regarding *claim 11*, Bloomfield, Adler, and Toyoda disclose the apparatus discussed above in claim 9, and Toyoda further teaches that that the protocol signal of the facsimile communication protocol is a subaddress signal or selective polling signal of the T.30 recommendation (column 21, lines 1 through 17). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include Toyoda's teachings in the system of Bloomfield and Adler. Bloomfield and Adler's system would easily be modified to include Toyoda's teachings, as the systems share cumulative features, being additive in nature.

Art Unit: 2622

Regarding *claim 12*, Bloomfield, Adler, and Toyoda disclose the apparatus discussed above in claim 10, and Toyoda further teaches that the protocol signal of the facsimile communication protocol is a password signal of the T.30 recommendation (column 21, lines 1 through 17). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include Toyoda's teachings in Bloomfield and Adler's system. Bloomfield and Adler's system would easily be modified to include Toyoda's teachings, as the systems share cumulative features, being additive in nature.

10. **Claims 13-19, 21-30, and 32-36** are rejected under 35 U.S.C. 103(a) as being unpatentable over Toyoda *et al.* (U.S. Patent Number 5,812,278, cited in the Office action dated 10/2/02) in view of Adler *et al.* (U.S. Patent Number 6,256,115).

Regarding *claim 13*, Toyoda discloses a method for a communication apparatus (facsimile apparatus 71, 81, or 91, seen in Fig. 21), connected to a computer network (LAN or Internet 65) and a public telephone network (PSTN 63), the communication apparatus having a facsimile communication function (column 21, lines 29 through 33), with the method comprising the steps of receiving a remote instruction including transfer destination information from the public telephone network by a protocol signal of a facsimile communication protocol (column 21, lines 1 through 17, and column 22, lines 1 through 39), receiving facsimile image data from the public telephone network (S201 in Fig. 23, column 22, lines 6 through 13), converting the received facsimile image data into an e-mail data format (column 22, lines 40 through 54), designating an e-mail destination of the computer network based on the received transfer destination information (column 22, lines 40 through 49), and transmitting the converted e-mail

Art Unit: 2622

data to a destination designated by the transfer destination information (column 22, lines 49 through 67).

However, Toyoda fails to specifically teach of selecting whether the public telephone network is released or facsimile reception via the public telephone network is started, when the transfer destination information is not received within a prescribed time for monitoring signal reception from the public telephone network after call reception from the public telephone network, and selecting whether the public telephone network is released or facsimile reception via the public telephone network is started, when a signal related to a facsimile communication is not received within a prescribed time for monitoring signal reception from the public telephone network after call reception from the public telephone network. Adler discloses a method for a communication apparatus (node 10, see abstract) connected to a computer network (Internet 24, column 5, lines 5 through 21) and a public telephone network (PSTN 18, column 4, line 62 through column 5, line 4), with the apparatus having a facsimile communication function (see abstract), with the method comprising the steps of receiving a remote instruction including transfer destination information (destination number) from the public telephone network (column 11, line 60 through column 12, line 17), receiving facsimile image data from the public telephone network (column 5, line 48 through column 6, line 4), converting the received facsimile image data into another format (column 6, lines 10 through 42), and transmitting the converted data to a destination designated by the transfer destination information (column 6, line 17 through column 7, line 15), selecting whether the public telephone network is released or facsimile reception via the public telephone network is started ("end", which thereby releases the network, or looping back up to repeat the start of reception) when the transfer destination information (destination

Art Unit: 2622

number, in step 206) is not received within a prescribed time for monitoring signal reception from the public telephone network after call reception from the public telephone network (time-out in step 216, column 11, line 60 through column 12, line 2), and selecting whether the public telephone network is released or facsimile reception via the public telephone network is started (“end”, which thereby releases the network, or looping back up to repeat the start of reception), when a signal related to a facsimile communication (fax receive in step 220) is not received within a prescribed time for monitoring signal reception from the public telephone network after call reception from the public telephone network (time-out in step 224, column 12, lines 2 through 17). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include Adler’s teachings in the system of Toyoda. Toyoda’s system would easily be modified to conform to Adler’s teachings, as the systems share cumulative features, being additive in nature, and thereby conforming to well-known standards in the facsimile Group-3 protocol communication.

Regarding *claim 25*, Toyoda discloses a storage medium (ROM 72) which stores a computer program executed by a computer of a communication apparatus (facsimile apparatus 71, 81, or 91, seen in Fig. 21, column 21, lines 20 through 27), connected to a computer network (LAN or Internet 65) and a public telephone network (PSTN 63), the communication apparatus having a facsimile communication function (column 21, lines 29 through 33), with the computer program having processing of receiving a remote instruction including transfer destination information from the public telephone network by a protocol signal of a facsimile communication protocol (column 21, lines 1 through 17, and column 22, lines 1 through 39), processing of receiving facsimile image data from the public telephone network (S201 in Fig. 23,

Art Unit: 2622

column 22, lines 6 through 13), processing of converting the received facsimile image data into an e-mail data format (column 22, lines 40 through 54), processing of discriminating the transfer destination information included in the protocol signal (column 22, lines 1 through 16), and processing of designating an e-mail destination of the computer network on the basis of the discriminated transfer destination information (column 22, lines 40 through 49), and transmitting the converted e-mail data to a destination designated by the transfer destination information (column 22, lines 49 through 67).

However, Toyoda fails to specifically teach of selecting whether the public telephone network is released or facsimile reception via the public telephone network is started, when the transfer destination information is not received within a prescribed time for monitoring signal reception from the public telephone network after call reception from the public telephone network, and selecting whether the public telephone network is released or facsimile reception via the public telephone network is started, when a signal related to a facsimile communication is not received within a prescribed time for monitoring signal reception from the public telephone network after call reception from the public telephone network. Adler discloses a method for a communication apparatus (node 10, see abstract) connected to a computer network (Internet 24, column 5, lines 5 through 21) and a public telephone network (PSTN 18, column 4, line 62 through column 5, line 4), with the apparatus having a facsimile communication function (see abstract), with the method comprising the steps of receiving a remote instruction including transfer destination information (destination number) from the public telephone network (column 11, line 60 through column 12, line 17), receiving facsimile image data from the public telephone network (column 5, line 48 through column 6, line 4), converting the received facsimile image

Art Unit: 2622

data into another format (column 6, lines 10 through 42), and transmitting the converted data to a destination designated by the transfer destination information (column 6, line 17 through column 7, line 15), selecting whether the public telephone network is released or facsimile reception via the public telephone network is started (“end”, which thereby releases the network, or looping back up to repeat the start of reception) when the transfer destination information (destination number, in step 206) is not received within a prescribed time for monitoring signal reception from the public telephone network after call reception from the public telephone network (time-out in step 216, column 11, line 60 through column 12, line 2), and selecting whether the public telephone network is released or facsimile reception via the public telephone network is started (“end”, which thereby releases the network, or looping back up to repeat the start of reception), when a signal related to a facsimile communication (fax receive in step 220) is not received within a prescribed time for monitoring signal reception from the public telephone network after call reception from the public telephone network (time-out in step 224, column 12, lines 2 through 17). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include Adler’s teachings in the system of Toyoda. Toyoda’s system would easily be modified to conform to Adler’s teachings, as the systems share cumulative features, being additive in nature, and thereby conforming to well-known standards in the facsimile Group-3 protocol communication.

Regarding *claims 14 and 26*, Toyoda and Adler disclose the method and medium discussed above in claims 13 and 25, respectively, and Adler further teaches that the transfer destination information and password information are received from the public telephone network (column 11, line 17 through column 12, line 17), wherein it is checked if transfer

Art Unit: 2622

destination information corresponding to the transfer destination information is set in advance (column 11, lines 60 through column 12, line 9) and if the received password information matches password information set in advance (column 11, lines 28 through 59), and the converted data is transmitted in accordance with the checking results (column 12, lines 3 through 45). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include Adler's teachings in Toyoda's system. Toyoda's system would easily be modified to include Adler's teachings, as the systems share cumulative features, being additive in nature.

Regarding *claims 15 and 27*, Toyoda and Adler disclose the method and medium discussed above in claims 14 and 26, respectively, and Toyoda further teaches that the step of designating the e-mail destination of the computer network on the basis of the received transfer destination information (column 22, lines 1 through 49), and designating a desired post-office in an e-mail server (personal computer 64) of the computer network (column 22, lines 49 through column 23, line 4, and column 10, lines 40 through 53, wherein the electronic mail is transmitted according to post office protocol, thereby having the personal computer 64 receive the email in a "post office" corresponding to the designated e-mail destination).

Regarding *claims 16 and 28*, Toyoda and Adler disclose the method and medium discussed above in claims 14 and 26, respectively, and Toyoda further teaches of registering in advance e-mail address information of the e-mail destination in storage means in correspondence with numeral information (column 22, lines 27 through 39), and receiving the transfer destination information as numeral information (column 22, lines 27 through 39), and reading out the address information of the e-mail destination corresponding to the received numeral

Art Unit: 2622

information from the storage means to designate the e-mail destination (column 22, lines 40 through 59).

Regarding *claims 17 and 29*, Toyoda and Adler disclose the method and medium discussed above in claims 14 and 26, respectively, and Adler further teaches that the password information is received as numeral information (column 11, lines 28 through 59). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include Adler's teachings in Toyoda's system. Toyoda's system would easily be modified to include Adler's teachings, as the systems share cumulative features, being additive in nature.

Regarding *claim 18*, Toyoda and Adler disclose the method discussed in claim 14 above, and Toyoda further teaches that the transfer destination information is received by a tone signal (column 21, lines 1 through 17, and column 22, lines 1 through 39).

Regarding *claims 19 and 30*, Toyoda and Adler disclose the method and medium discussed above in claims 18 and 26, respectively, and Adler further teaches that the transfer destination information is received by a tone signal (column 11, line 17 through column 12, line 12), whereby the tone signal is a DTMF signal (column 9, lines 30 through 45). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include Adler's teachings in Toyoda's system. Toyoda's system would easily be modified to include Adler's teachings, as the systems share cumulative features, being additive in nature.

Regarding *claims 21 and 32*, Toyoda and Adler disclose the method and medium discussed above in claims 14 and 26, respectively, and Toyoda further teaches that the transfer

Art Unit: 2622

destination information is received by a protocol signal of a facsimile communication protocol (column 21, line 1 through 17).

Regarding *claims 22 and 33*, Toyoda and Adler disclose the method and medium discussed above in claims 14 and 26, respectively, and Toyoda further teaches of receiving identification information by a protocol signal of a facsimile communication protocol (column 21, lines 1 through 17). Further, Adler teaches that the password information is received by a protocol signal of a facsimile communication protocol (column 11, line 17 through column 12, line 17). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include Adler's teachings in Toyoda's system. Toyoda's system would easily be modified to include Adler's teachings, as the systems share cumulative features, being additive in nature.

Regarding *claims 23 and 34*, Toyoda and Adler disclose the method and medium discussed above in claims 21 and 26, respectively, and Toyoda further teaches that that the protocol signal of the facsimile communication protocol is a subaddress signal or selective polling signal of the T.30 recommendation (column 21, lines 1 through 17).

Regarding *claims 24 and 35*, Toyoda and Adler disclose the method and medium discussed above in claims 22 and 26, respectively, and Toyoda further teaches that that the protocol signal of the facsimile communication protocol is a password signal of the T.30 recommendation (column 21, lines 1 through 17).

Regarding *claim 36*, Toyoda discloses a communication system including a communication apparatus (facsimile apparatus 71, 81, or 91, seen in Fig. 21, and see facsimile apparatus 51 in Figs. 3 and 12) which is connected to a computer network (LAN or Internet 65)

Art Unit: 2622

and a public telephone network (PSTN 63), with the communication apparatus having a facsimile communication function (column 21, lines 29 through 33), the computer network (LAN or Internet 65) having an e-mail server (personal computer 64), wherein the communication apparatus (facsimile apparatus 71) receives facsimile image data from the public telephone network (PSTN 63) upon reception of a remote instruction including transfer destination information from the public telephone network on the basis of a facsimile communication (column 22, lines 1 through 39), converts the received facsimile image data into an e-mail data format (column 22, lines 40 through 54), transmits the e-mail data by designating an e-mail destination based on the received transfer destination (column 22, lines 54 through 59), and the e-mail server (personal computer 64) receives the transmitted e-mail data in a post-office corresponding to the e-mail destination (column 22, lines 49 through column 23, line 4, and column 10, lines 40 through 53, wherein the electronic mail is transmitted according to post office protocol, thereby having the personal computer 64 receive the email in a "post office" corresponding to the e-mail destination).

However, Toyoda fails to specifically teach of selecting whether the public telephone network is released or facsimile reception via the public telephone network is started, when the transfer destination information is not received within a prescribed time for monitoring signal reception from the public telephone network after call reception from the public telephone network, and selecting whether the public telephone network is released or facsimile reception via the public telephone network is started, when a signal related to a facsimile communication is not received within a prescribed time for monitoring signal reception from the public telephone network after call reception from the public telephone network. Adler discloses a communication

Art Unit: 2622

system including a communication apparatus (node 10, see abstract) which is connected to a computer network (Internet 24, column 5, lines 5 through 21) and a public telephone network (PSTN 18, column 4, line 62 through column 5, line 4), with the communication apparatus having a facsimile communication function (see abstract), wherein the communication apparatus receives facsimile image data from the public telephone network (column 5, line 48 through column 6, line 4), converts the received facsimile image data into another data format (column 6, lines 10 through 42), transmits the data by designating a destination based on the received transfer destination information (column 6, line 17 through column 7, line 15), selects whether the public telephone network is released or facsimile reception via the public telephone network is started ("end", which thereby releases the network, or looping back up to repeat the start of reception), when a signal related to a facsimile communication (fax receive in step 220) is not received within a prescribed time for monitoring signal reception from the public telephone network after call reception from the public telephone network (time-out in step 224, column 12, lines 2 through 17), and selects whether the public telephone network is released or facsimile reception via the public telephone network is started ("end", which thereby releases the network, or looping back up to repeat the start of reception) when the transfer destination information (destination number, in step 206) is not received within a prescribed time for monitoring signal reception from the public telephone network after call reception from the public telephone network (time-out in step 216, column 11, line 60 through column 12, line 2). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to include Adler's teachings in the system of Toyoda. Toyoda's system would easily be modified to conform to Adler's teachings, as the systems share cumulative features, being

Art Unit: 2622

additive in nature, and thereby conforming to well-known standards in the facsimile Group-3 protocol communication.

Allowable Subject Matter

11. **Claims 43-46, 56 and 57** are allowed.

12. The following is a statement of reasons for the indication of allowable subject matter:

Regarding independent *claims 43, 56, and 57*, in the examiner's opinion, it would not have been obvious to a person of ordinary skill in the art at the time the invention was made to have a system receive facsimile image data from a transmitting source via the public telephone network, return a message in response to a request received from the transmitting source via the public telephone network, receive a first instruction generated based on the message returned by the returning means, receive a second instruction that indicates a facsimile communication without reception of the first instruction, convert the received facsimile image data into an e-mail data format, process the received facsimile image data without performing the converting in a case where the second instruction is received, and then transmitting the converted e-mail data. The closest prior art, Bloomfield (U.S. Patent Number 6,025,931), as well as Yamamoto *et al.* (U.S. Patent Number 5,767,985) fail to teach of all these features in the limitations, particularly the limitations of receiving a second instruction that indicates a facsimile communication without reception of the first instruction, and processing the received facsimile image data without performing the converting in a case where the second instruction is received, which were added in the amendment dated 12/19/01. Because of this, the claims are rendered allowable.

Art Unit: 2622

Conclusion

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joe Pokrzywa whose telephone number is (703) 305-0146. The examiner can normally be reached on Monday-Friday, 7:30-4:00.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on (703) 305-4712. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

J.R.P.

Joseph R. Pokrzywa
Examiner
Art Unit 2622

jrj
April 20, 2003


EDWARD COLES
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600